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C O N F I D E N T I A L SECTION 01 OF 02 BRUSSELS 003911

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CA/P/IP: AFRELICK  
DEPT FOR TERRORIST SCREEING CENTER: RKOPEL  
EUR/UBI: EFALLS

E.O. 12958: DECL: 11/22/2016  
TAGS: [CVIS](#) [PTER](#) [PINR](#) [PGOV](#) [PREL](#) [KHLs](#) [BE](#)  
SUBJECT: HSPD-6 TERRORIST SCREENING INFORMATION: BELGIUM  
WILL CONSIDER SHARING

REF: A. STATE 37450  
[1](#)B. BRUSSELS 3710  
[1](#)C. BRUSSELS 1292

Classified By: ECONCOUNS TERRI L. ROBL, REASONS 1.5 B/D

[1](#)1. (C) SUMMARY: The Government of Belgium (GOB) will consider an information sharing proposal with the U.S. within the framework of Homeland Security Presidential Directive - 6 (HSPD-6). The U.S. delegation, during a November 10 meeting in Brussels, proposed to give Belgium access to a portion of the Terrorist Screening Database (TSDB) containing about 30,000 entries, and to provide follow on support from the Terrorist Screening Center's (TSC) 24/7 call center. In exchange, the USG would obtain from Belgium the identities (name, date of birth, nationality and passport number) of persons the GOB considers to be "of interest" for terrorism. Each country would contact the other in the event of an encounter with a person on the other country,s watchlist to confirm identity and request background information. USDEL explained how privacy would be protected and how supporting documentation would be handled. The briefing took place just days ahead of a visit to Washington by Deputy Prime Minister (and Minister of Justice) Laurette Onkelinx (ref B). GOB interlocutors promised to consider a potential information sharing agreement after the Onkelinx visit, including the possibility of an eventual formal proposal to the Belgian Council of Ministers and recommendation to implement such an agreement under terms of HSPD-6. END SUMMARY

PRESENTATION FOCUSES ON MUTUAL BENEFITS, PRIVACY PROTECTION

[1](#)2. (C) The Prime Minister,s counterterrorism advisor pulled together an impressive group of Belgian officials active in counterterrorism, including the heads of the Federal Police and the Belgian Intelligence Services and high-ranking representatives from the Federal Prosecutor's Office, Justice and Interior Ministries. The group was very interested in the program, particularly in USG interagency coordination at the TSC. TSC's Acting Director Rick Kopel gave an overview of the interagency reporting process at TSC and described how "encounters" with people on the watchlist are handled at various levels, e.g. overseas, at points of entry, and within the U.S. (such as during traffic-related stops.) Kopel differentiated between the watchlist and no-fly list, discussed record purging, thresholds for placement on the watchlist, appeals, and the specific fields of data incorporated into the database. Kopel explained the role of the TSC call center, highlighting that support is available 24/7.

[1](#)3. (C) The U.S. delegation noted that it was inviting Belgian access to a database of some 30,000 records of people

known or suspected by the U.S. of terrorism. All records would have a full name and date of birth. The U.S. threshold for the watchlist entries made available to Belgium are that the persons are either (a) a threat to commercial aviation; (b) operationally prepared to commit a terrorist act; or (c) the subject of an outstanding U.S. warrant for terrorism. The U.S. noted that we anticipate that information sharing may be "asymmetrically reciprocal," i.e., the database shared by the U.S. would be much larger than that shared by Belgium.

Belgium would be expected to explain their threshold criteria for inclusion on its watchlist, but not provide specific derogatory information on each name at the time of watchlisting. In response to anticipated Belgian concerns about privacy protection, Kopel stated that single-source names provided by Belgium would not be placed on the No-Fly List, would not be shared with other countries, and that Belgium would not be identified as the source of the information. CA/P/IP proposed that Belgium and the U.S. consider jointly pursuing a modified type of agreement, which would memorialize a policy decision for the sharing of information on known or suspected terrorists (KST), and which would provide the umbrella for more specific discussions of operational, logistical, and legal issues. The U.S. proposal could potentially alter the need for parliamentary approval (such as might be required of a formal Memorandum of Understanding) and might facilitate sharing of critically important information on KST in a shorter timeframe. The Belgian side said they would consider the proposal.

#### HOW WILL HSPD-6 AFFECT EXISTING CHANNELS OF COMMUNICATION?

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14. (C) Of particular interest to the Belgians was how the HSPD-6 program could affect existing informal channels of information exchange between various U.S. and Belgian

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agencies. The U.S. team stated that this program would augment and not replace extant working relationships. Several on both the Belgian and U.S. side also expressed frustration about receiving, but not being able to use, USG classified information about individuals or cases of interest because the information could not be declassified. The delegation acknowledged this is a complex issue, involving protection of sources and methods, and often the agency that "owns" the information will not declassify it for foreign government sharing. Nonetheless the TSC reps said they have well-established channels for requesting and receiving declassified texts with the international partners currently working with the U.S., which will expedite and facilitate such requests.

#### OTHER CONCERNS AND NEXT STEPS

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15. (C) The Belgians expressed interest in considering an information sharing agreement, and promised to be back in touch with the Embassy after the Justice Minister's visit to the U.S. The discussion revealed several important issues to be clarified, including:

--which Belgian entity would serve as the point of contact for accessing the watchlist database;

--addressing Belgian legal and operational issues, including privacy protection;

--defining how to exchange and who would get access to encounter information and to any subsequent classified information exchanged in connect with encounters;

--preserving current channels of information sharing between Belgian entities and USG counterparts;

--ground rules for how data is handled by various agencies, and for how, and with whom information may be shared.

16. (C) The Belgians stated that the proposed exchange would

be discussed within the interministerial college on security and intelligence following Onkelinx, return from Washington, and promised feedback. Approval of an HSPD-6 agreement would require the consent of the Belgian Council of Ministers (akin to the President's Cabinet). Post will follow up with our contacts about developing an agreement in the coming weeks.

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